

1 Michael W. De Vries (SBN 211001)
 michael.devries@kirkland.com
 2 KIRKLAND & ELLIS LLP
 333 South Hope Street
 3 Los Angeles, California 90071
 Telephone: (213) 680-8400
 4 Facsimile: (213) 680-8500

5 Attorneys for Defendants *Cisco Systems, Inc. and*
Linksys LLC f/k/a/ Cisco Consumer Products LLC

6 Robert Walters (*Pro Hac Vice*)
 7 PAUL HASTINGS LLP
 875 15th Street, N.W.
 8 Washington, D.C. 20005
 robertwalters@paulhastings.com
 9 T: 202-551-1700
 F: 202-551-0449
 10 Attorneys for Defendant
Hewlett-Packard Co.

11 ADDITIONAL COUNSEL LISTED ON
 12 SIGNATURE PAGE

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **OAKLAND DIVISION**

16 ChriMar Systems Inc., et al.,
 17 Plaintiff,
 18 v.
 19 Cisco Systems Inc., et al.,
 20 Defendants.

Case No. 4:13-cv-01300-JSW

**STIPULATION FOR ORDER CHANGING
 TIME OF RESCHEDULED SUMMARY
 JUDGMENT HEARING DATE SET IN DKT.
 NO. 405 IN VIEW OF TRIAL CONFLICT
 AND ~~PROPOSED~~ ORDER**

[Civil L.R. 6-1, 6-2]

Judge: Honorable Jeffrey S. White
 Magistrate Judge: Honorable Maria-Elena James

23
 24
 25
 26
 27
 28

1 Pursuant to Civil L.R. 6-1 and 6-2, Defendants Cisco Systems, Inc., Linksys LLC,
2 (collectively, “Cisco”) and Hewlett-Packard Co. (“HP”) (collectively, Cisco and HP are
3 “Defendants”) and Plaintiffs ChriMar Systems Inc. d/b/a CMS Technologies and ChriMar
4 Holding Company LLC’s (collectively, “ChriMar”) join in this Stipulation requesting an order
5 changing the time for the hearing on the parties’ cross-motions for summary judgment, which was
6 recently rescheduled by the Court from June 24, 2016 to August 5, 2016 pursuant to Dkt. No.
7 405, due to a trial conflict in connection with another action currently pending in this District
8 faced by Cisco’s lead counsel.

9 As addressed in the attached Declaration of Brian Paul Gearing, lead counsel for Cisco
10 has a conflict on the rescheduled August 5, 2016 summary judgment hearing date due to a pre-
11 existing trial schedule in another pending litigation in the San Jose Division of this Court, *Nortek*
12 *Air Solutions, LLC v. DMG Corp., et al.*, Case No. 14-cv-02919-BLF (N.D. Cal.). In light of that
13 conflict, the parties have met and conferred regarding what appear to be the Court’s current
14 available hearing dates listed on its online calendar, and have determined that all parties are
15 available for the summary judgment hearing on the following days in July and August: July 15,
16 2016 and August 19, 2016.

17
18 In light of Dkt. No. 405, Defendants propose moving the hearing to August 19, 2016.
19 ChriMar proposes moving the hearing to July 15, 2016. The parties are available on either date,
20 as the Court prefers.

21 This request is supported by good cause and the parties do not believe this request will
22 affect any other current deadlines in this case, as further addressed in the attached Declaration of
23 Brian Paul Gearing.

1 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the
2 parties that: As stated above, the parties are available to proceed with the hearing on their cross-
3 motions for summary judgment on July 15, 2016 or on August 19, 2016, pending the Court's
4 availability and preference with respect to those dates.

5 **IT IS SO STIPULATED.**

6
7 DATED: June 17, 2016

Respectfully submitted,

8 By: /s/ Brian Paul Gearing

9 Michael W. De Vries
10 Steven Papazian
11 KIRKLAND & ELLIS LLP
12 333 South Hope Street
13 Los Angeles, California 90071
14 Telephone: (213) 680-8400
15 Facsimile: (213) 680-8500

16 Steven Cherny (*Pro Hac Vice*)
17 James E. Marina (*Pro Hac Vice*)
18 Brian Paul Gearing (*Pro Hac Vice*)
19 KIRKLAND & ELLIS LLP
20 601 Lexington Avenue
21 New York, New York 10022
22 Telephone: (212) 446-4800
23 Facsimile: (212) 446-4900

24 *Attorneys for Defendants*
25 *Cisco Systems Inc. and Linksys LLC f/k/a/*
26 *Cisco Consumer Products LLC*

27 McDERMOTT WILL & EMERY LLP
28 PAUL HASTINGS LLP

By: /s/ Robert J. Walters
David H. Dolkas (SBN: 111080)
McDERMOTT WILL & EMERY LLP
275 Middlefield Rd., Suite 100
Menlo Park, CA 94025
ddolkas@mwe.com
djong@mwe.com
T: 650-815-7400
F:650-815-7401

Robert J. Walters (*Pro Hac Vice*)
PAUL HASTINGS LLP
875 15th Street, N.W.
Washington, D.C. 20005
robertswalters@paulhastings.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

T: 202-551-1700
F: 202-551-0449

*Attorneys for Defendant
Hewlett-Packard Co.*

McKool Smith Hennigan
/s/ Brandon Jordan

Courtland Reichman
McKool Smith Hennigan
255 Shoreline Drive, Suite 510
Redwood Shores, CA 94065
Telephone: (650)-394-1045
Facsimile: (650)-394-1422
creichman@mckoolsmithhennigan.com

Robert Auchter (PRO HAC VICE)
Benjamin Levi (PRO HAC VICE)
Brandon Jordan (PRO HAC VICE)
McKool Smith P.C.
1999 K Street NW, Suite 600
Washington, DC 20006
Telephone: (202) 370-8300
Fax: (202) 370-8344
rauchter@mckoolsmith.com
blevi@mckoolsmith.com
bjordan@mckoolsmith.com

*Attorneys for Plaintiffs ChriMar Systems
Inc. d/b/a CMS Technologies and ChriMar
Holding Company, LLC*

1 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of
2 perjury that concurrence in the filing of these documents has been obtained from all parties'
3 counsel.

4 Dated: June 17, 2016

KIRKLAND & ELLIS LLP

5
6 /s/ Brian Paul Gearing

7 Brian Paul Gearing (*Pro Hac Vice*)

8 KIRKLAND & ELLIS LLP
9 601 Lexington Avenue
10 New York, New York 10022
11 Telephone: (212) 446-4800
12 Facsimile: (212) 446-4900

13 *Attorneys for Cisco Systems, Inc.*
14 *and Linksys LLC f/k/a/ Cisco*
15 *Consumer Products LLC*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PURSUANT TO STIPULATION, IT IS SO ORDERED.

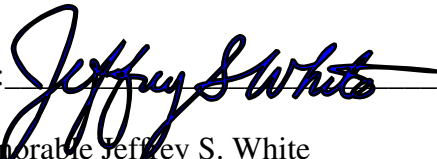
1. The hearing on the parties' cross motions for summary judgment, which is currently scheduled for August 5, 2016, is hereby rescheduled to 9:00 a.m. on:

~~{July 15, 2016}.~~

~~{August 19, 2016}.~~

If the Court finds the motions suitable for disposition without oral argument, it shall notify the parties in advance of the hearing date.

Dated: June 20, 2016

By: 
Honorable Jeffrey S. White
United States District Court Judge